



Drohan Lee

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October 20, 2023

VIA ECF

Hon. Denise L. Cote
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

*Granted. There shall be no
further extension of the
12/11/23 motion date.*

*Denise Cote
10/30/23*

Re: *E.S. et al v. New York City Dep't of Educ. 23-cv-05205 (DLC)*

Dear Judge Cote:

We represent Defendant in the above-referenced action wherein Plaintiffs seek attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. §1400, et seq., as well as for this action.

The parties respectfully submit this joint letter pursuant to Your Honor's October 10, 2023 Order (Dkt No. 14), to update the Court on the status of settlement negotiations. Plaintiffs provided their settlement demand with supporting documents pursuant to this Court's Order and defendant made a settlement offer, the parties are in active settlement negotiations. The parties propose the submission of a joint status letter regarding settlement on or before November 20, 2023.

Additionally, the plaintiffs' Motion for Summary Judgment is due by November 10, 2023, Opposition is due by December 1, 2023 and Reply is due by December 15, 2023 pursuant to the Court's Order of July 5, 2023 [Dkt No. 10]. Defendant requests a 30-day extension of time to for the briefing schedule currently in place. We have settled numerous cases with the Roller Firm in the past and remain optimistic and continue to have every expectation that this matter can be fully resolved without the Court's intervention.

Accordingly, Defendant respectfully requests that a joint status letter on settlement be provided by November 20, 2023 and request a 30-day extension of time for Plaintiffs to serve their



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Motion for Summary Judgment as follows:

Motion served by December 11, 2023
Opposition served by January 2, 2023
Reply served by January 15, 2023

Thank you for considering this request.

Respectfully submitted,

/s/
Vivian Rivera Drohan

cc: Irina Roller, Esq. (via ECF)